

Amendment No. 1 to HB0685

Lundberg
Signature of Sponsor

AMEND Senate Bill No. 1067

House Bill No. 685*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 25, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) If a judgment, decree or other such document affecting title, possessions or use of property is registered as a lien against the property of a person pursuant to this chapter, and such person is not the person against whom the judgment, decree or other document is entered, the lien may be removed by a court of competent jurisdiction upon a showing by a preponderance of evidence that it is not a valid lien against such property.

(b) A person who successfully has a lien removed pursuant to this section may recover all damages incurred as a result of the judgment lien being filed on the property. The action shall be against the person responsible for registering the judgment lien and damages shall include the costs, including attorney fees, incurred in removing the lien.

(c) This section shall not apply to a licensed attorney who prepares a document covered by this section in the course or representing a client.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it and shall apply to all liens filed in violation of this section on or after such date.